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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ALLEN L. CROOK,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of
12 Social Security,

13 Defendant.

Case No. 11-5284 BHS-KLS

REPORT AND RECOMMENDATION

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15 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
16 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
17 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for
18 remand. (ECF #25). After reviewing the parties' stipulated motion and the remaining record, the
19 undersigned recommends that the Court grant the parties' motion, and remand this matter to the
20 Commissioner for further proceedings.

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22 This Court recommends that on remand the ALJ will reevaluate the medical source
23 opinions of record, including Dr. Wingate's opinions of 2010. The ALJ will make a de novo
24 determination as to disability, and issue a new decision. Upon proper application, Plaintiff shall
25 be eligible for attorneys' fees under the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.
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1 Given the fact of the parties' stipulation, the Court recommends that the District Judge
2 immediately approve this Report and Recommendation and order the case **REVERSED** and
3 **REMANDED**. A proposed order accompanies this Report and Recommendation.

4 DATED this 3rd day of October, 2011.

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7 Karen L. Strombom
8 United States Magistrate Judge
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